

REMARKS

Summary of the Amendment

Upon entry of the present Amendment, Claims 10, 14 and 18 will have been amended and Claims 20-22 will have been newly added. Accordingly, Claims 10-22 remain pending in the present application. By the present Amendment and Remarks, Applicant submits that the rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Summary of the Office Action

In the subject Office Action, claims 10-11 and 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyazawa (US 5,610,468); and claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa.

Traversal of Rejection under 35 U.S.C. § 102(b)

Applicant respectfully traverses the rejection of Claims 10-11 and 14-19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,610,468 to Miyazawa et al. (hereinafter "MIYAZAWA").

The Examiner submits that MIYAZAWA discloses all the elements of claim 10. In particular, the Examiner states "Miyazawa discloses a vibration-type device comprising a vibration element (105 fig. 2 and element 2 in figure 8) including an elastic body and an electromechanical conversion element (107 in figure 2 and element 3 in figure 8) having at least two electrodes. Miyazawa discloses circuits (101 and 102), which are equal in shape but offset in position to create two standing wave vibrations to drive the driven body (107), which is in contact with the elastic body (105). Flexural vibrations are used to drive the driven element and the vibration element relative to each other. (See column 6)."

A Review of MIYAZAWA

Figs. I and II are block diagrams of driving circuits for driving the step motor. Oscillator circuits 101 and 102 each output a driving voltage to the control circuit 103. The control circuit 103 outputs the driving voltage from either circuit 101 or 102 to the vibrator 106. As shown in Fig. 11, the vibrator 106 has two sets of electrodes, one set of electrodes connected and receiving the driving voltage from circuit 101 and another set of electrodes connected and receiving the driving voltage from circuit 102. A first vibration mode is generated when the vibrator receives the driving voltage from circuit 101, and a second vibration mode is generated when the vibrator receives the driving voltage from circuit 102.

In re Independent Claim 10

Applicant's independent Claim 10 as amended recites, *inter alia*, ... wherein said vibration element is capable of forming a first flexural vibration mode in response to inputting of the two driving voltages of respective phases that are made the same into the two electrodes and is capable of forming a second flexural vibration mode in response to inputting of the two driving voltages of respective phases that are made opposite to each other into the two electrodes.

On the other hand, MIYAZAWA does not teach the aforementioned features. With regard to Fig. 11, it is noted that MIYAZAWA does not show the two driving voltages (i.e., driving voltages from circuit 101 and 102) being sent to the same electrodes. Rather, MIYAZAWA shows the driving voltages from oscillator circuits 101 and 102 being sent to different sets of electrodes of the vibrator 106. The driving voltage from circuit 101 is sent to electrodes a, while the driving voltage from circuit 102 is sent to electrodes b.

For the foregoing reasons, because MIYAZAWA fails to disclose the above-noted features of the present invention, Applicant submits that MIYAZAWA fails to disclose each and every feature of the present invention as recited in Independent Claim 10.

Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support rejection under 35 U.S.C. § 102(b) and that the rejection of Independent Claim 10 is improper and should be withdrawn.

Dependent Claim 11

Applicant further submits that dependent Claim 11 is allowable at least for the reason that this claim depends from allowable independent Claim 10 and because this claim recites additional features that further define the present invention.

Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support rejection under 35 U.S.C. § 102(b) and that the rejection of dependent Claim 11 is improper and should be withdrawn.

Claims 14-19

Since amended Claims 14 and 18 include the same aforementioned features of Claim 10, Applicant further submits that Claims 14-19 are allowable because MIYAZAWA fails to disclose the above-noted features of the present invention and that MIYAZAWA fails to disclose each and every feature of the present invention as recited in Claims 14-19.

Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support rejection under 35 U.S.C. § 102(b) and that the rejection of Claims 14-19 is improper and should be withdrawn.

Traversal of Rejection under 35 U.S.C. § 103(a)

Applicant respectfully traverses the rejection of Claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over MIYAZAWA.

The Examiner submits that MIYAZAWA shows the elastic body formed into a cylindrical shape, but fails to disclose a rectangular shape. Further, the Examiner provides that it would have been obvious to change the shape of the driving element.

As discussed above, Applicant submits that MIYAZAWA does not teach *inter alia*, wherein said vibration element is capable of forming a first flexural vibration mode in response to inputting of the two driving voltages of respective phases that are made the same into the two electrodes and is capable of forming a second flexural vibration mode in response to inputting of the two driving voltages of respective phases that are made opposite to each other into the two electrodes.

Since MIYAZAWA fails to disclose the above-noted features of the present invention, Applicant submits that MIYAZAWA fails to disclose each and every feature of the present invention as recited in Claims 12 and 13.

Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support a rejection under 35 U.S.C. § 103(a) and that the rejection of Claims 12 and 13 is improper and should be withdrawn.

New Claims Are Neither Anticipated Nor Unpatentable

New Claims 20-22 include the same aforementioned features. As such, Applicant submits that New Claims 20-22 are not anticipated by MIYAZAWA and not unpatentable over MIYAZAWA.

Application is Allowable

Applicant respectfully submits that each and every pending claim on the present invention meets the requirements for patentability and respectfully requests the Examiner to indicate allowance of such claims.

Conclusion

In view of the foregoing, it is submitted that none of the references of record anticipate or render obvious the Applicant's invention as recited in Claims 10-21. The applied reference of record has been discussed and distinguished, while the significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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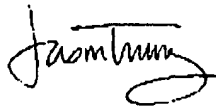
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If any additional fee is required, please charge Deposit Account No. 502456.

Respectfully submitted,



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